SHRI S. W. DHABE: Sir, a very , vital and constitutional provision is involved in this matter. *(Interruptions)*

MR. DEPUTY CHAIRMAN: Let me hear what his point is.

SHRI S. W. DHABE; Sir, I shall be very brief.

MR". DEPUTY CHAIRMAN: Please, let us proceed now. Yes, Mr. Dhabe.

SHRI S. W. DHABE: There was arbitrary misuse' of article 356 whi^h £J,ives untrammelled powers to the President and Governor to dismiss any government;. Therefore this question was discussed in 'the Presiding Officers' Conferences in 1968 and it was unanimously laid down that the constitutional powers under article 356 should not be made use ctf unless the party concerned i_s given a right to prove its majority in Assembly or if it fails to call the Assembly. In Sikkim it was not done. Interpretaltion of article 356 has to be in accordance with "the provisions of he Constitution. There was" no failure of Government as per the provisions of the Constitution. It i_s a black day for us that Governments are dismissed in Jammu and Kashmir !and\ Sikkim and the Central Government is misusing these powers. So I request, through you, Sir, that thi_s Proclamation should not be allowed 'to go on record and you should uphold the decisions of the Presiding Officers' Conference of 1968. At least the Chairman must go by the decisions $_0$f t^{ft}at Conference which modified the procedure under article 356.

MR. DEPUTY CHAIRMAN: There is nothing in article 356 which bars She laying of the Proclamation....

SHRI S. W. DHABE: What about the Presiding Officers' Conference decisions?

MR. DEPUTY CHAIRMAN: .... There is nothing like that. So it is completely in order and it has already been ^laid down. Now the Secretary-General.

PAPERS LAID ON THE TABLE

Statement showing the Kills passen by the Houses of Parliament during the Hundred* and Thirtieth Session of the Rajya Sabha, and assented to the President

THE SECRETARY-GENERAL: Sir, I beg to lay on the Table a statement (in English and Hindi) showing the $Bill_s$ passed by the Houses of Parliament during the / Hundred and Thirtieth Session of the Rajya Sabha and assented to by the President. (Placed in library, *gee* No. LT-8399/84.]

Notification of the Ministry of Law. Justice and Company Affairs (Department of Company Affairs)j

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI JAGANNATH KAUSHAL): Sir, I beg to lay on the Table: —

I. A copy each of the following Notifications of the Ministry of Law, Justice and Company Affairs (Department of Company Affairs), under sub-section (3) of section 620A of the Companies Act, 1956:—

(i) G.S.R. No. 217 dated the 3rd March 1984 (in English and Hindi) declaring M/S Grama Nala Saswathe Nidhi Limited to be a "Nidhi".

(ii) G.S.R. No. 615, dated the 23rd June, 1984 (in Hindi) publishing a corrigendum to Hindi version of the Notification G.S.R. No. 217 dated the 3rd March 1984, mentioned at (i) above.

[Placed in Library. See No. LT-8402184 for (i) and (ii).l

II. A copy each (in English and Hindi) of the following Notifications

of the Ministry of Law, Justice and Company Affairs (Department of Company Affairs), under sub-section (3) of section 642 of the Companies-Act, 1956: —

(i) G.S.R. No. 505, dated the 26th May, 1984, publishing the Cost Accounting Records (Bulk Drugs) (Amendment) Rules, 1984.

(ii) G.S.R. No. 506, dated the 26th May, 1984, publishing the Cost Accounting Records (Steel Tubes and Pipes) Rules, 1984. Placed in Library. *See* No. LT-8401/84 for (i) and (ii)]

1 **Indian Telegraphs (Third Amendment Rules, 1984**

II. Indian Telegraph (Fourth Amendment) Rules> 1984.

THE MINISTER OF STATE IN THE MINISTRY OF COMMUNICATIONS (SHRI V. N. GADGIL): Sir, I beg to lay on the Table, under sub-section (5) of section 7 of the Indian Telegraph Act, 1885, a copy each (in English and Hindi) of the following Notifications of the Ministry of Cofrimunicatioma (P. & T. Board): —

(i) G.S.R. No. 386 (E), dated the 22nd May, 1984, publishing the Tndian Telegraph (Third Amendment) Rules, 1984.

(ii) G.S.R. No. 387(E), dated the 22nd May, 1984, publishing the Indian Telegraph (Fourth Amendment) Rules, 1984.

[Placed in Library. *See* No. I/T-8412/84 for (i) and (ii)]

I. National Security (Second Amendment) Ordinance, 1984 (No. 6 of 1984)

II. Hooghly Docking and Engineering Company 'Limited (Acquisition and Transfer of Undertakings) Ordinance, 1984 (No. 7 of 1984)

m Conservation of Foreign Exchange . . and Prevention of Smuggling Activities (Amendment) Ordinance, 1984 (No. 8 of 1984)

IV. Terrorist Affected Areas (Special Courts) Ordinance, 1984 (No. J> 0f 1981). .

THE MINISTER OF STATE IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI KALP NATH RAI): Sir, I beg to lay on the Table, under sub-clause (a) of clause (2) of article 123 of the constitution, a copy each (in English and Hindi) of the following Ordinances: —

(i) The National Security (Second Amendment) Ordinance, 1984 (No. 6 of 1984). [Placed in Library. See No. LT-8387|84j

(ii) The Hooghly Docking and Engineering Company Limited (Acquisition and Transfer of Undertakings Ordinance, 1984 (No. 7 of 1984. [Placed Jn Library. *See* No. LT-8388/84]

(iii) The Conservation of Foreign Exchange and Prevention of Smuggling Activities (Amendment) Ordinance, 1984 (No 8 of 1984) [Placed in Library. *See* No. LT-8388184].

(iv) The terrorist Affected Areas (Special Courts) Ordinance, 1984 (No. 9 of 1984). [Placed in Library. *See* No. LT-8390184]

I. Coal Mines Provident Fund (Amendment) scheme, 1984

H. Andhra Pradesh Coal Mines PTOTIdent Fund (Amendment) Scheme, 1984.

HI. Rajasthan Coal Mines Provident Funa (Amendment) Scheme, 1984.

THE MINISTER OF STATE IN THE DEPARTMENT OF COAL IN THE MINISTRY OF ENERGY (SHRI DALBIR SlNGH): Sir, I beg to lay on the Table under section 7A of the Coal Mines Provident Fund and Miscellaneous Provisions Act 1984, a copy